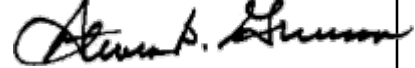


EXHIBIT A

EXHIBIT A

**COMJD**

Timothy R. O'Reilly, Esq.

Nevada Bar No. 8866

TIMOTHY R. O'REILLY, CHTD.

325 S. Maryland Parkway

Las Vegas, Nevada 89101

Telephone: (702) 382-2500

Facsimile: (702) 384-6266

E-Mail: efile@torlawgroup.com

CASE NO: A-21-840698-C

Department 13

Gerald I. Gillock, Esq.

Nevada Bar No. 0051

GERALD I. GILLOCK & ASSOCIATES

428 S. Fourth Street

Las Vegas, Nevada 89101

Telephone: (702) 386-0000

Facsimile: (702) 385-2604

E-Mail: Gillock@gmk-law.com

SAMUEL MIREJOVSKY, ESQ.

Nevada Bar No. 13919

ASHLEY M. WATKINS, ESQ.

Nevada Bar No. 13981

SAM & ASH, LLP

1108 S. Casino Center

Las Vegas, Nevada 89104

Telephone: (702) 820-4000

Facsimile: (702) 820-4444

*Attorneys for Plaintiff***EIGHTH JUDICIAL DISTRICT COURT****CLARK COUNTY, NEVADA**

STEPHEN BINGHAM, an individual,

Plaintiff,

vs.

LESSORS, INC., a Minnesota corporation, d/b/a

XTREME TRANSPORTATION; JASON

ALDEAN a/k/a JASON ALDINE WILLIAMS,

an individual; DOES I through X, inclusive; and

ROE CORPORATIONS I through X, inclusive,

Defendants.

CASE NO.:

DEPT. NO.:

COMPLAINT AND DEMAND FOR JURY TRIAL**ARBITRATION EXEMPTION CLAIMED:****Matter in Controversy Exceeds \$50,000 in damages**

COMES NOW, Plaintiff, STEPHEN BINGHAM, by and through his attorneys of record, the law offices of TIMOTHY R. O'REILLY, CHTD; GERALD I. GILLOCK & ASSOCIATES; AND SAM & ASH, LLP, and hereby complains and alleges as follows:

I.

PARTIES

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2
3 1. STEPHEN BINGHAM (hereinafter referred to as “Mr. Bingham” or “Plaintiff”) is,
4 and at all times relevant hereto was, a citizen of the State of Nevada.

5 2. Defendant LESSORS, INC. is a foreign corporation chartered by and existing under
6 and by virtue of the laws of the State of Minnesota, doing business as XTREME
7 TRANSPORTATION (hereinafter referred to as “**XTREME TRANSPORTATION**”), doing
8 business within the State of Nevada.

9 3. Defendant JASON ALDEAN a/k/a JASON ALDINE WILLIAMS (hereinafter
10 referred to as “**ALDEAN**”), upon information and belief, is, and at all times relevant hereto was, a
11 citizen of the State of Tennessee, doing business as a public celebrity and country-singer artist
12 within the State of Nevada.

13 4. At all times relevant herein, Defendants DOES I through X, inclusive, were and now
14 are agents, drivers, employees, contractors, crew members, consultants, or managers of **ALDEAN**,
15 as it relates to the “RIDE ALL NIGHT VEGAS CONCERT” described herein and/or agents,
16 drivers, employees, contractors, crew members, consultants, or managers of **XTREME**
17 **TRANSPORTATION**; that the true names, identities, or capacities, whether individual, corporate,
18 associate, or otherwise, of Defendants DOES I through X, inclusive, are presently unknown to
19 Plaintiff who therefore sues said Defendants by such fictitious names; that Plaintiff is informed and
20 believes and thereupon alleges that each of the Defendants sued herein as DOES I through X,
21 inclusive, are responsible in some manner for the injuries and damages sustained by Mr. Bingham
22 as alleged herein; and that when the true names and capacities of such Defendants become known,
23 Plaintiff will ask leave of this Court to amend this Complaint to insert the true names, identities,
24 and capacities, together with proper charges and allegations.

25 5. At all times relevant herein, Defendants ROE CORPORATIONS I through X,
26 inclusive, were and now are corporations, firms, partnerships, associations, other entities involved
27 in the employment, contracting, hiring, managing, and/or selection of drivers, employees,
28

1 contractors, crew members, consultants, or managers of **ALDEAN**, as it relates to the “RIDE ALL
2 NIGHT VEGAS CONCERT” described herein and/or corporation, firms, partnerships,
3 associations, other entities involved in the employment, contracting, hiring, managing, and/or
4 selection of drivers, employees, contractors, crew members, consultants, or managers of **XTREME**
5 **TRANSPORTATION**; that the true names, identities, or capacities, whether individual, corporate,
6 associate, or otherwise of Defendants ROE CORPORATIONS I through X, inclusive, are presently
7 unknown to Plaintiff who therefore sues said Defendants by such fictitious names; that Plaintiff is
8 informed and believes and therefore alleges that each of the Defendants sued herein as ROE
9 CORPORATIONS are responsible in some manner for the injuries and damages sustained by Mr.
10 Bingham as alleged herein; and that when the true names and capacities of such Defendants become
11 known, Plaintiff will ask leave of this Court to amend this Complaint to insert the true names,
12 identities, and capacities, together with proper charges and allegations.

13 6. At all times relevant herein, Defendants, and each of them, were the agents, servants,
14 employees, employers, partners, co-owners/joint ventures of each and every other Defendant, and
15 were acting within the course, purpose, and scope of their employment, agency, ownership, and/or
16 joint ventures, and, to the extent permitted by law, are jointly and severally liable.

17 II.

18 JURISDICTION

19 7. The Court has personal jurisdiction over Defendants, and each of them, as
20 Defendants engaged in business or took actions within the State of Nevada regarding the alleged
21 injuries sufficient to establish personal jurisdiction.

22 8. The Court has subject matter jurisdiction over this case because the injuries
23 sustained by the Plaintiff occurred in Clark County, Nevada.

24 9. Upon information and belief, the Court has jurisdiction over the Fictitious
25 Defendants because the Fictitious Defendants engaged in business or took actions within the State
26 of Nevada regarding the alleged injuries sufficient to establish personal jurisdiction.

27 ...

VENUE

IV.

GENERAL FACTUAL ALLEGATIONS

19. When Mr. Bingham requested the truck drivers turn off the power units, they disregarded Mr. Bingham's request and refused to do so.

V.

FIRST CAUSE OF ACTION

NEGLIGENCE

(As to XTREME TRANSPORTATION, DOES I - X, and ROE CORPORATIONS I - X)

33. Plaintiff hereby adopts and incorporates by reference all prior paragraphs as though fully set forth herein.

34. **XTREME TRANSPORTATION** knew, or in the exercise of reasonable care should have known, that continuously running the auxiliary power units on the semi-trucks would expose persons in the vicinity of the trucks to carbon monoxide, which would likely cause injury to the persons exposed.

35. **XTREME TRANSPORTATION** had a duty to operate, control, and/or manage the semi-trucks and the auxiliary power units in a manner so as not to expose individuals to carbon monoxide.

36. **XTREME TRANSPORTATION** had a duty to hire, employ, train, designate, and/or provide for drivers and/or operators who knew or should have known that continuously running the auxiliary power units on the semi-trucks would expose persons to carbon monoxide.

37. **XTREME TRANSPORTATION** breached its duty by operating, controlling, and/or managing the semi-trucks and the auxiliary power units, and/or by hiring drivers and/or operators, employing drivers and/or operators, training drivers and/or operators, designating drivers and/or operators, and providing for drivers and/or operators of the semi-trucks and the auxiliary power units.

38. As a direct and proximate result of the negligence and conscious disregard of **XTREME TRANSPORTATION** and its drivers and/or operators, Mr. Bingham sustained the injuries and damages alleged herein.

39. As a direct and proximate result of the negligence and conscious disregard of **XTREME TRANSPORTATION** and its drivers and/or operators, Plaintiff has suffered special damages in an amount in excess of \$15,000.00.

50. As a further result of the negligence and conscious disregard of Defendants' agents and/or employees, Plaintiff has had to retain the services of attorneys in this matter, and therefore, seeks reimbursement of attorneys' fees and costs.

THIRD CAUSE OF ACTION

(As to all XTREME TRANSPORTATION, DOES I - X, and ROE CORPORATIONS I - X)

52. **XTREME TRANSPORTATION** owed a duty to Mr. Bingham to ensure that the semi-trucks and auxiliary power units did not continuously run and expose Mr. Bingham to carbon monoxide.

54. **XTREME TRANSPORTATION** was negligent because of its failure to hire, employ, train, and designate drivers and/or operators for its semi-trucks.

56. As a result of the negligence of **XTREME TRANSPORTATION** and its agents and/or employees, Bingham has dealt with the daily permanent effects of the injuries and damages he sustained due to the exposure to carbon monoxide and going into cardiac arrest.

1 57. The aforementioned acts and omissions of **XTREME TRANSPORTATION** and
2 its agents and/or employees constitute negligent infliction of emotional distress, and that as a direct
3 and proximate result thereof, Plaintiff has suffered general and special damages in a sum in excess
4 of \$15,000.00.

5 58. As a result of the negligence and conscious disregard of **XTREME**
6 **TRANSPORTATION** and its agents and/or employees, Plaintiff seeks punitive damages in an
7 amount to be determined at trial.

8 59. As a further result of the negligence of **XTREME TRANSPORTATION** and its
9 agents and/or employees, Plaintiff has had to retain the services of attorneys in this matter, and
10 therefore, seeks reimbursement of attorneys' fees and costs.

11 **VIII.**

12 **PRAYER FOR RELIEF**

13 WHEREFORE, Plaintiff prays for Judgment against Defendants, and each of them, as
14 follows:

- 15 1. For general damages in excess of \$15,000.00;
- 16 2. For special damages in excess of \$15,000.00;
- 17 3. For punitive damages in an amount to be determined at trial;
- 18 4. For reasonable attorneys' fees;
- 19 5. For costs of suit; and
- 20 6. For any such further relief this Court deems appropriate.

21 ...

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IX.

DEMAND FOR JURY TRIAL

Plaintiff herein demands a trial by jury on all issues so triable.

Respectfully submitted,

TIMOTHY R. O'REILLY, CHTD.

By: /s/ Timothy R. O'Reilly
Timothy R. O'Reilly, Esq.
Nevada Bar No. 8866
325 South Maryland Parkway
Las Vegas, Nevada 89101

Gerald I. Gillock, Esq.
Nevada Bar No. 0051
GERALD I. GILLOCK & ASSOCIATES
428 South 4th Street
Las Vegas, Nevada 89101
Attorneys for Plaintiff